

**REMARKS**

The specification has been amended to correct unintentional grammatical errors, thus making the specification more readable. No new matter has been added.

Claims 1 and 3 have been amended to correct grammatical errors and referential errors.

The Examiner has inquired as to the function of lock bracket or stop 36. The specification has been amended to make page 5, line 13 more readable. As indicated at page 5, lines 12-13, stop 36 functions to prevent the garage door from opening. More particularly, stop 36 serves this function when the drive unit is not running and an attempt is made to open the garage door, in other words to force it upward, as discussed at page 6, starting at line 24. Stop 36 is shown in Fig. 2 to be engaged by the pivotable arm 84, at stop lip 150 of stop 36, where it may be seen that lifting of the garage door without employing the driving unit has caused the cable 26 to slacken, and thus allowed pivotable arm 84 to pivot and contact the stop 36 at stop lip 150. The door can now be opened no further, due to the mechanical obstruction of pivotable arm 84 and stop 36.

Applicants respectfully request the Examiner to withdraw the objection to the specification in view of the description which the specification and drawings provide with respect to stop 36.

Claims 1-4 stand rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 1,863,961 to Ball et al. In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. It is respectfully submitted that claim 1 recites elements that are not taught, disclosed or suggested by Ball et al.

The present invention has several advantages over standard jack shaft garage door operators. First, the

pivotal arm provides tension to the cable, preventing it from coming off the drum of the jack shaft. In the event the drive continues to pay out cable even though the garage door is closed, the pivotal arm engages the toothed wheel on the jack shaft, preventing it from turning further and causing the cable to come off the drum. A further advantage is that, in the event a forced entry of the garage door is attempted by raising the door, the means for preventing forced entry engages the pivotal arm as the garage door is raised and the cable slackens, thereby jamming any further opening of the garage door and preventing the garage door from being raised to a substantially open position. This is critical in jack shaft garage door operators, which are unlike trolley-driving garage door operators in that standard jack shaft garage door operators provide no mechanical resistance to manually forcibly raising the garage door.

In contrast, the garage door apparatus of Ball et al. is directed merely to a safety device for non-motorized garage doors, in particular a door which is manually opened and closed, and has a counterweight providing gravitational torque to a rotatable shaft to which the garage door is cabled, thus offsetting the weight of the garage door. The safety device has pawls 6 and 7 which engage sets of teeth 4 and 5 of the rotatable shaft when the cable supporting the counterweight slackens, thereby preventing the door from crashing to the ground and potentially causing serious injury if the cable supporting the counterweight fails. The arm of the safety device is under the tension of the cable supporting the counterweight. Raising the garage door manually therefore does not provide slackening of the counterweight cable, nor any kind of engagement of the safety device with the shaft.

The device of Ball et al. fails to disclose at least two elements of claim 1. First, Ball et al. fail to disclose a drive unit for their garage door, as is called for in claim 1.

The garage door of Ball et al. is manually raised and lowered, with the assistance of counterweight R, shown in FIG. 1 thereof. Second, Ball et al. fail to disclose means for preventing the garage door from opening that is called for in claim 1. In Ball et al., as the garage door is manually raised the shaft rotates freely, the counterweight continues to provide tension to the cable that supports it, the arm of the safety device has nothing which it might jam against to prevent further opening of the door. The pawls in Ball et al. do not jam against the teeth of the door on manual lifting of the door, and even if they did, that would not prevent someone from raising the door, albeit without the assistance of the action of the counterweight.

Since Ball et al. fail to disclose at least two elements of claim 1, Ball et al. do not anticipate claim 1, nor claims 2, 3, and 4 which depend therefrom.

Furthermore, the present invention as claimed is not obvious in view of Ball et al., since the disclosure of Ball et al. is directed to a manually operable garage door rather than a jack shaft garage door operator having a door-opening prevention device to block lifting of the door when the drive unit is not operating. Forced entry is not a concern of Ball et al. because the Ball et al. garage door is intended to be opened manually. Adding a blocking mechanism such as that of the present invention to the apparatus of Ball et al. would make the door in Ball et al. unopenable. One skilled in the art would therefore not find the presently claimed invention obvious in view of Ball et al.

#### CONCLUSION

For the reasons discussed above, the applicants request the Examiner to reconsider and withdraw objections and rejections in the Office Action not related to form. The prior art of record neither discloses nor suggests the present

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PATENT APPLICATION

invention. Amendments to the claims are commensurate with support in the specification. The applicants believe the presented claims are allowable, and respectfully request allowance of same.

Respectfully submitted,  
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